(1)
(4)

IN THE HON'BLE HIGH COURT OF CHHATTISGARH AT BILASPUR

WRIT PETITION No. 5653 / 2005

PETITIONER:

Adivashi Sewa Samiti, Chhattisgarh
Through its President
Smt. Urmila Netam,
Office at Adarsh Adivashi
Colony, Kushalpur, Purani
Basti Raipur, Chhattisgarh

P.R. No. 5780/05
Present... Satyendra Sahu
dated... 8/11/05

VERSUS

RESPONDENTS:

1. Kamlu Ram Korram,
S/o not known, R/o Plot No. 23
Advashi Colony, Kushalpur,
Purani Basti Raipur,
Chhattisgarh.
Represented by Special
Power of Attorney holder
Uttam Singh Thakur, S/o
Kamlu Ram Korram,
R/o Plot No. 23, Advashi
Colony, Kushalpur, Purani
Basti Raipur, Chhattisgarh

2. State of Chhattisgarh,
Through the Secretary,
Department of Commerce &
Industry,
D.K.S. Bhawan, Manalaya
Raipur, Chhattisgarh

3. The Registrar,
Firms & Societies, Chhattisgarh
Office At Plot No. O/5,
Anupam Nagar, Raipur,
Chhattisgarh

4. The Collector,
District Raipur,
Chhattisgarh

8/11/05

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जपथ आयुक्त,
एस आर कौशिक
बिलासपुर
8/11/05

WRIT PETITION UNDER ARTICLE 226/227 OF THE CONSTITUTION OF INDIA FOR ISSUENCE OF WRIT IN THE NATURE OF MANDAMUS, PROHIBTION, CERTIORARI, AND ANY OTHER WRITS, DIRECTIONS OR ORDERS.

(32)

HIGH COURT OF JUDICATURE CHHATTISGARH: BILASPUR

SINGLE BENCH : HON'BLE SHRI S.R. NAYAK, CJ

WRIT PETITION NO.5653 OF 2005

PETITIONER : Adivashi Sewa Samiti, Chhattisgarh, Through: Its President, Smt. Urmila Netam, Office at Adarsh Adivashi Colony, Kushalpur, Purani Basti, Raipur, Chhattisgarh.

VERSUS

RESPODNENTS :

(1) Kamlu Ram Korram, S/o not known, R/o Plot No.23, Advashi Colony, Kushalpur, Purani Basati Raipur, Chhattisgarh. Represented by special Power of Attorney Holder Uttam Singh Thakur, S/o Kamlu Ram Korram, R/o Plot No.23, Advashi Colony, Kushalpur, Purani Basati, Raipur, Chhattisgarh.

(2) State of Chhattisgarh Through: The Secretary, Department of Commerce & Industry, DKS Bhawan, Manalaya, Raipur, Chhatisgarh.

(3) The Registrar, Firms & Societies, Chhattisgarh, Office At Plot No.O/5, Anupam Nagar, Raipur, Chhattisgarh.

(4) The Collector, District Raipur, Chhattisgarh.

Present: Mr. Satyendra Sahu, learned counsel for the petitioner.

Mr. B.D. Guru, learned counsel for respondent No.1.

Mr. Yashwant Singh, learned G.A., for the State.

ORAL ORDER
(Passed on 05th December 2005)

The order impugned in this writ petition is an order made by the Registrar under Section 32 of the Chhattisgarh Societies Registrikaran

Adhiniyam, 1973 (*for short 'the Adhiniyam'*). Admittedly, against the said order an appeal lies under Section 40 of the Adhiniyam to the State Government. I do not find any weighty or substantive reason or ground to permit the petitioner to rush to this Court under Article 226 of the Constitution of India without exhausting alternative statutory appeal remedy provided under Section 40 of the Adhiniyam. On that short ground, the writ petition is dismissed, however, reserving liberty to the petitioner to prefer an appeal to the State Government under Section 40 of the Adhiniyam. All the contentions raised by the petitioner in this writ petition are left open to be agitated before the Government. There is no order as to costs.

Sd/-
Chief Justice